

ASSEMBLY BILL

No. 1808

Introduced by Assembly Member Dahle

February 18, 2014

An act to amend Section 116275 of the Health and Safety Code, relating to drinking water.

LEGISLATIVE COUNSEL'S DIGEST

AB 1808, as introduced, Dahle. Drinking water.

Existing law, the California Safe Drinking Water Act, requires the State Department of Public Health to administer the regulation of drinking water and public water systems, as defined, to protect public health, including the conduct of research, studies, and demonstration programs relating to the provision of a dependable, safe supply of drinking water.

This bill would make a technical, nonsubstantive change to these provisions.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 116275 of the Health and Safety Code
2 is amended to read:
3 116275. ~~As used in this chapter:~~ *For purposes of this chapter,*
4 *the following definitions apply:*
5 (a) “Contaminant” means any physical, chemical, biological,
6 or radiological substance or matter in water.
7 (b) “Department” means the State Department of Public Health.

1 (c) “Primary drinking water standards” means:

2 (1) Maximum levels of contaminants that, in the judgment of
3 the department, may have an adverse effect on the health of
4 persons.

5 (2) Specific treatment techniques adopted by the department in
6 lieu of maximum contaminant levels pursuant to subdivision (j)
7 of Section 116365.

8 (3) The monitoring and reporting requirements as specified in
9 regulations adopted by the department that pertain to maximum
10 contaminant levels.

11 (d) “Secondary drinking water standards” means standards that
12 specify maximum contaminant levels that, in the judgment of the
13 department, are necessary to protect the public welfare. Secondary
14 drinking water standards may apply to any contaminant in drinking
15 water that may adversely affect the odor or appearance of the water
16 and may cause a substantial number of persons served by the public
17 water system to discontinue its use, or that may otherwise adversely
18 affect the public welfare. Regulations establishing secondary
19 drinking water standards may vary according to geographic and
20 other circumstances and may apply to any contaminant in drinking
21 water that adversely affects the taste, odor, or appearance of the
22 water when the standards are necessary to ensure a supply of pure,
23 wholesome, and potable water.

24 (e) “Human consumption” means the use of water for drinking,
25 bathing or showering, hand washing, oral hygiene, or cooking,
26 including, but not limited to, preparing food and washing dishes.

27 (f) “Maximum contaminant level” means the maximum
28 permissible level of a contaminant in water.

29 (g) “Person” means an individual, corporation, company,
30 association, partnership, limited liability company, municipality,
31 public utility, or other public body or institution.

32 (h) “Public water system” means a system for the provision of
33 water for human consumption through pipes or other constructed
34 conveyances that has 15 or more service connections or regularly
35 serves at least 25 individuals daily at least 60 days out of the year.
36 A public water system includes the following:

37 (1) Any collection, treatment, storage, and distribution facilities
38 under control of the operator of the system that are used primarily
39 in connection with the system.

1 (2) Any collection or pretreatment storage facilities not under
2 the control of the operator that are used primarily in connection
3 with the system.

4 (3) Any water system that treats water on behalf of one or more
5 public water systems for the purpose of rendering it safe for human
6 consumption.

7 (i) "Community water system" means a public water system
8 that serves at least 15 service connections used by yearlong
9 residents or regularly serves at least 25 yearlong residents of the
10 area served by the system.

11 (j) "Noncommunity water system" means a public water system
12 that is not a community water system.

13 (k) "Nontransient noncommunity water system" means a public
14 water system that is not a community water system and that
15 regularly serves at least 25 of the same persons over six months
16 per year.

17 (l) "Local health officer" means a local health officer appointed
18 pursuant to Section 101000 or a local comprehensive health agency
19 designated by the board of supervisors pursuant to Section 101275
20 to carry out the drinking water program.

21 (m) "Significant rise in the bacterial count of water" means a
22 rise in the bacterial count of water that the department determines,
23 by regulation, represents an immediate danger to the health of
24 water users.

25 (n) "State small water system" means a system for the provision
26 of piped water to the public for human consumption that serves at
27 least five, but not more than 14, service connections and does not
28 regularly serve drinking water to more than an average of 25
29 individuals daily for more than 60 days out of the year.

30 (o) "Transient noncommunity water system" means a
31 noncommunity water system that does not regularly serve at least
32 25 of the same persons over six months per year.

33 (p) "User" means a person using water for domestic purposes.
34 User does not include a person processing, selling, or serving water
35 or operating a public water system.

36 (q) "Waterworks standards" means regulations adopted by the
37 department that take cognizance of the latest available "Standards
38 of Minimum Requirements for Safe Practice in the Production and
39 Delivery of Water for Domestic Use" adopted by the California
40 section of the American Water Works Association.

1 (r) “Local primacy agency” means a local health officer that
2 has applied for and received primacy delegation from the
3 department pursuant to Section 116330.

4 (s) “Service connection” means the point of connection between
5 the customer’s piping or constructed conveyance, and the water
6 system’s meter, service pipe, or constructed conveyance. A
7 connection to a system that delivers water by a constructed
8 conveyance other than a pipe shall not be considered a connection
9 in determining if the system is a public water system if any of the
10 following apply:

11 (1) The water is used exclusively for purposes other than
12 residential uses, consisting of drinking, bathing, and cooking or
13 other similar uses.

14 (2) The department determines that alternative water to achieve
15 the equivalent level of public health protection provided by the
16 applicable primary drinking water regulation is provided for
17 residential or similar uses for drinking and cooking.

18 (3) The department determines that the water provided for
19 residential or similar uses for drinking, cooking, and bathing is
20 centrally treated or treated at the point of entry by the provider, a
21 passthrough entity, or the user to achieve the equivalent level of
22 protection provided by the applicable primary drinking water
23 regulations.

24 (t) “Resident” means a person who physically occupies, whether
25 by ownership, rental, lease, or other means, the same dwelling for
26 at least 60 days of the year.

27 (u) “Water treatment operator” means a person who has met
28 the requirements for a specific water treatment operator grade
29 pursuant to Section 106875.

30 (v) “Water treatment operator-in-training” means a person who
31 has applied for and passed the written examination given by the
32 department but does not yet meet the experience requirements for
33 a specific water treatment operator grade pursuant to Section
34 106875.

35 (w) “Water distribution operator” means a person who has met
36 the requirements for a specific water distribution operator grade
37 pursuant to Section 106875.

38 (x) “Water treatment plant” means a group or assemblage of
39 structures, equipment, and processes that treats, blends, or

1 conditions the water supply of a public water system for the
2 purpose of meeting primary drinking water standards.

3 (y) “Water distribution system” means any combination of pipes,
4 tanks, pumps, and other physical features that deliver water from
5 the source or water treatment plant to the consumer.

6 (z) “Public health goal” means a goal established by the Office
7 of Environmental Health Hazard Assessment pursuant to
8 subdivision (c) of Section 116365.

9 (aa) “Small community water system” means a community
10 water system that serves no more than 3,300 service connections
11 or a yearlong population of no more than 10,000 persons.

12 (ab) “Disadvantaged community” means the entire service area
13 of a community water system, or a community therein, in which
14 the median household income is less than 80 percent of the
15 statewide average.